

SUMMARY OF FINAL DECISIONS ISSUED BY THE TRADEMARK TRIAL AND APPEAL BOARD

June 4-8, 2001

Date Issued	Type of Case(1)	Proceeding or Appn. No.	Party or Parties	TTAB Panel(2)	Issue	TTAB Decision	Opposer's or Petitioner's Mark and Goods or Services	Applicant's or Respondent's Mark and Goods or Services	Mark and Goods Cited by Examining Attorney	Examining Attorney	Citable as Precedent of TTAB
5-29**	OPP	115,326	E. Rothenberg and J. Zempel v. Eric Beckman	Chapman* Wendel Bucher	2(d)	Opposition Sustained	“GUERRILLA GIRLS” [educational and entertainment services designed to promote public awareness of the need to combat sexism, racism and discrimination in the arts; posters, books, etc., related to the above services]	“GUERRILLA KIDS” [organizing exhibitions for children for cultural and entertainment purposes]			No
5-29**	EX	75/548,099	SnapTrack, Inc.	Simms Cissel Quinn*	2(d)	Refusal Affirmed (as to both cited registrations)		“SMARTSERVER” [global positioning systems hardware and software; communications services and telecommunications services, namely, using global positioning systems to provide for navigation, location, tracking, mapping and timing objectives for users; providing the electronic transmission of data and voice via global communications network and wireless networks; providing telecommunications connections to a global computer network; electronic transmission of voice messages and data by telephone or network communications]	“SMARTSERVE” [maintenance and/or repair of telecommunications equipment] <i>and</i> “SMART SERV ONLINE” (and design) [communications services, namely, providing access to data processing and communications platforms that link businesses, consumers, and professionals to information service and transactional service providers]	Rauen	No

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(2) *=Opinion Writer; (D)=Dissenting Panel Member

**Inadvertently omitted from Summary of Final Decisions May 28 – June 1, 2001

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5-29**	EX	75/659,987	WyldFyre Technologies, Inc.	Hairston Walters Drost*	2(e)(1)	Refusal Affirmed		"REALTYLINK" [computer software used to obtain real estate products and services electronically in connection with managing the real estate closing process; real estate services, namely, services to facilitate and monitor the real estate closing process and the ordering and delivery of real estate products and services for others]		Chisolm	No
5-29**	OPP	112,490	Gooch Foods, Inc. v. Larossa	Seeherman Hanak Quinn*	2(d)	Opposition Sustained	"LA ROSA" (and design) [alimentary paste products; butter; macaroni products, noodles and pastina, a macaroni product cut up in small fanciful shapes]; "LA ROSA" (in stylized lettering) [alimentary pastes, pizza pie mix, and canned sauce therefor, canned spaghetti sauces, ravioli with meat in sauce, meat balls in sauce, and sausage links in sauce]; <i>and other marks incorporating "LA ROSA," for similar goods</i>	"LA ROSSA" (and design) [processed fruits and vegetables, tuna and processed anchovies]			No

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5-29**	EX	75/625,495	CurtCo Freedom Group, L.L.C.	Hanak Wendel Drost*	2(e)(1)	Refusal Affirmed		"SMALL BUSINESS COMPUTING & COMMUNICATIONS" [general interest magazines regarding technology needs for business operators]		Stokols	No
5-29**	EX	75/471,837	Golden Apples Candy Co., Inc.	Seeherman* Bucher Drost	2(d)	Refusal Affirmed		"MOTHER NATURE'S HEALTH POPS" [herbal homeopathic health pops for the treatment of cough and cold, airborne allergies, smoker's withdrawal, premenstrual syndrome, and stress and anxiety]	"MOTHER NATURE HEALTH PRODUCTS" (and design) [vitamin supplements; nutritional supplements; throat lozenges; medicated mouthwash; etc.]	Mandir	No
6-6	EX	75/476,392	Cybernet Systems Corp.	Simms Chapman Bucher*	2(d)	Refusal Affirmed		"NETMAX" [computer software for use in installing and operating a multi-protocol computer network]	"NETMAXER" [operating system utility computer programs]	D. Taylor	No
6-6	CANC	27,927	Bennett v. City of Canton, Texas	Cissel Hohein* Holtzman	whether petitioner has proved its standing to be heard on its petition for cancellation	Petition to Cancel Denied		"FIRST MONDAY" [organizing, promoting, and conducting flea markets for others]			No
6-6	EX	75/585,377	Parasol Systems, Inc.	Hairston Walters Rogers*	2(d)	Refusal Affirmed		"IMPACT" [computer software for managing sales and customer information in the chemical distribution and manufacturing industry]	"CLEAR IMPACT" [computer software in the nature of a database containing customer information]	Weimer	No

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6-6	EX	75/711,666	Brian S. Gladden	Hanak Wendel* Rogers	2(e)(1)	Refusal Affirmed		"E-OUTDOORS" [providing on-line pricing information and on-line ordering services for outdoor products, namely fishing, camping, hunting, boating, archery and hiking equipment; on-line auctions featuring outdoor products and services; providing on-line chat rooms and bulletin boards for dissemination of information concerning fishing, camping, hunting, boating, archery and hiking; providing information on-line concerning outdoor activities, namely, fishing, camping, hunting, boating, archery, hiking, outdoor videos and outdoor games, and publications, etc.; providing on-line consumer information concerning testing and evaluation of outdoor products, activities, and services; providing information on-line concerning weather, tides, lunar phases and maps]		Regan	No
6-6	EX	75/566,083	Synplicity, Inc.	Simms Walters Drost*	2(e)(1)	Refusal Reversed		"CERTIFY" [computer software for computer aided electronic circuit design]		Gilbert	No

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6-6	EX	75/544,959	Handler Textile Corp.	Simms* Walters Bottorff	whether applicant's specimens show use of its mark in connection with the services recited in its application	Refusal Affirmed		"POSSIBILITY PANELS" [custom quilting services]		Oslick	No
6-6	EX	75/672,042	National Nursery Products, Inc.	Quinn* Chapman Bucher	2(d)	Refusal Affirmed		"NATIONAL NURSERY PRODUCTS" (and design) [cooperative advertising and marketing for others in the field of horticultural products, promoting the services of the horticultural industry through the distribution of printed and audio promotional materials and by rendering sales promotional advice; horticultural services]	"NATIONAL NURSERIES, LTD." [plants, namely, nursery stock including hanging baskets, aglaonemas, brassaia, codiaenum, dieffenbachia, dracaena, ficus, palms, spathiphyllum and yucca]	Ervin	No

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